GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:3329
ANSWERED ON:07.12.2007
LAW COMMISSION RECOMMENDATIONS FOR TERMINALLY Ill PATIENTS
Saradgi Shri Iqbal Ahmed

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Law Comrtrission report recommended setting up of a threemember panel of reputed medical persons regarding withdrawal of life support from the terminally ill patients;

(b) if so,the details thereof;

(c) whether the Government has constituted any such body;

(d) if so,the details thereof; and

(e) the likely date by which the report would be made available?

Answer

MINISTER OF LAW AND STICE(SHRI H.R. BHARDWAJ)

(a) Yes,Sir.

(b) Every `competent patient`,who is suffering from terminal illness,has a right to refuse medical treatment. The doctor must be satisfied that the decision is made by a competent patient and that it is an informed decision.

In case of incompetent patients,the doctor shall not withhold or withdraw treatment unless he has obtained opinion of a body of three expert medical practitioners from a panel prepared by high-ranking authority.The decision to withhold or withdraw must be based on guidelines issued by Medical Council of India;

(c) The Government has examined the recommendation and is not in favour of accepting the same;

(d) & (e) Does not arise.